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REMARKS

Claims 1-18 and 21-28 are pending in this action. Claims 1, 14, 21 and 22 are independent. Reconsideration and allowance of the above-referenced application are respectfully requested in light of the following remarks.

Claims 1-2, 4, 6-8, 10-13, 23-25 and 27-28 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent (U.S. Pat. No. 5,778,359) in view of Backlund (OOE: A Compound Document Framework).

Claims 14-16 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent in view of Lonnroth (U.S. Pat. No. 6,826,597 B1).

Claims 17-18 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent and Lonnroth in view of Backlund.

Claims 19-22 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Backlund in view of Stent.

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent and Backlund in view of Erickson (U.S. Pat. Pub. No. 2004/0210535) and Parks (U.S. Pat. No. 6,850,228).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent and Backlund in view of Parks.

Claims 9 and 26 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stent and Backlund in view of Walsh (6,810,429).

Section 103 Rejections

Claim 1 stands rejected as being allegedly unpatentable over Stent in view of Backlund. Claim 1 recites a method that includes receiving a host data file. The host data file has a host data file format. A foreign data block is received. Characteristics of the foreign data block are determined, including a character encoding format of the foreign data block. Packing data is generated that describes the characteristics of the foreign data block, including data identifying

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the beginning and end of the foreign data block and further including an identifier designed to be distinguishable from all other data in the host data file. Generating the packing data includes selecting, based on the character encoding format of the foreign data block, a byte pattern that indicates a presence of a header, and including the byte pattern in the packing data. The packing data and the foreign data block are embedded as a foreign data block packet in the host data file. (Emphasis added.)

As a preliminary matter, Stent does not teach or suggest receiving a foreign data block and embedding it along with generated packing data into a file, as required by claim 1. In contrast, Stent discloses a technique for examining portions of a file to determine the format of records in the file and generating format decoding information describing the format of the file. See Abstract and col. 3, lines 35-48. Assuming for argument's sake that the examined file in Stent is equivalent to a foreign data block and that the format decoding information is equivalent to packing data, Stent does not disclose embedding these together in another file. The Examiner conceded as much on p. 3 of the Office Action mailed 2/28/06.

Secondly, Stent does not disclose selection of a byte pattern for generated packing data that indicates the presence of a header based on a determined character format. The examiner argues to the contrary, but the portions of Stent relied upon by the examiner do not teach this feature of claim 1 (col. 5, lines 12-19):

The next step is to determine whether file 16 contains headers or trailers, step 84. One method of determining if file 16 contains a header is to search the beginning of file 16 for the word "HEADER" immediately after a carriage return, new line or linefeed character. The word "HEADER" will usually be subsequently followed by another carriage return or a linefeed, which indicates the end of the header 30, FIG. 2. The header 30 can then be skipped over.

The above quoted portion of Stent discloses at most searching for the word "HEADER" in a file. Assuming for argument's sake that the word "HEADER" is equivalent to a byte pattern indicating the presence of a header, there is no teaching or suggestion that the word "HEADER" was selected based on a determined character format. Although Stent discloses determining if a file is encoded as EBCDIC, the determination results in the file being converted to ASCII format, not in the selection of a byte pattern to indicate the presence of a header. See FIG 4A and col. 4, lines 20-31.

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The relied upon portions of Backlund do not remedy the deficiencies in Stent. Backlund describes a framework where so-called compound documents can contain embedded objects. See p. 2. Backlund discloses that an embedded object is stored in a client document in different formats: image data, document data and source data. See p. 3, § Basic Storage. Image data contains data used to render an embedded object. Document data contains internal structures of the embedded object. And source data contains information about which application was used to create the embedded object. Assuming for argument's sake that embedded objects in Backlund are equivalent to foreign data blocks, these portions of Backlund do not teach or suggest generating packing data that describes the characteristics of the foreign data block, including data identifying the beginning and end of the foreign data block and further including an identifier designed to be distinguishable from all other data in the host data file and embedding it along with the embedded objects. Furthermore, the cited portions of Backlund do not teach or suggest selection of a byte pattern for generated packing data that indicates the presence of a header based on a determined character format.

Accordingly, the applicant respectfully submits that claim 1, and claims 2-13 which depend from 1, are in condition for allowance for at least these reasons. Claims 23-25 and 27-28 incorporate limitations similar to those in claim 1 are in condition for allowance for at least the same reasons.

Claim 14 stands rejected as being allegedly unpatentable over Stent in view of Lonnroth. Claim 14 recites a computer program product comprising instructions operable to cause a programmable processor to receive a host data file and search for a header that indicates the beginning of an embedded foreign data block packet that contains a foreign data block. The foreign data block has a format that is recognizable by the computer program. The header includes an identifier designed to be distinguishable from all other data in the host data file. The header further describing the characteristics of the foreign data block, wherein searching for the header comprises: scanning byte by byte for a byte pattern that indicates a presence of a header; and when the byte pattern is found, determining a character encoding format of the header and scan character by character using the character encoding format to search for the identifier. If the identifier is found, the header is processed or, if an identifier is not found, a remaining portion of the host data file is scanned byte by byte for the byte pattern.

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Stent does not disclose determining a character encoding format of a header when a byte pattern indicating the presence of the header is found. The portions of Stent relied upon by the examiner fail to teach this feature of claim 14 (col. 3, lines 49-56 and col. 5, lines 12-19):

A typical file 16 such as a database file, FIG. 2 includes several different sections. File 16 can include a header 30 which contains information about the contents of file 16. After header 30 begins the main body 32 of file 16, which comprises one or more file records 33. File 16 can end with a trailer 34. Each of the file records 33 includes a number of different fields 36-44. Each of the fields 36-44 is designated to contain a predetermined data type for each record.

The next step is to determine whether file 16 contains headers or trailers, step 84. One method of determining if file 16 contains a header is to search the beginning of file 16 for the word "HEADER" immediately after a carriage return, new line or linefeed character. The word "HEADER" will usually be subsequently followed by another carriage return or a linefeed, which indicates the end of the header 30, FIG. 2. The header 30 can then be skipped over.

The relied upon sections of Stent above disclose that a file can have a header section which can be demarked with the word "HEADER". There is no mention of determining the character encoding format of the header. In fact, Stent teaches that character encoding is determined before a header is searched for in order to convert the file to ASCII format, as described above. The relied upon portions of Lonnroth fail to remedy the deficiencies in Stent. Accordingly, the applicant respectfully submits that claim 14, and claims 15-16 which depend from 14, are in condition for allowance for at least these reasons.

Claims 17-18 stand rejected as being allegedly unpatentable over Stent in view of Lonnroth and Backlund. Claims 17 and 18 depend from claim 14. Claim 14 is not obvious in view of Stent and Lonnroth, as discussed above. Backlund fails remedy the deficiencies in Stent and Lonnroth. Accordingly, the applicant respectfully submits that claims 17 and 18, which depend from 14, are in condition for allowance for at least these reasons.

Claims 19-22 stand rejected as being allegedly unpatentable over Backlund in view of Stent. The rejection of claims 19 and 20 is moot, as these claims are canceled. Claims 21 and 22 contain limitations similar to those found in claim 1. Accordingly, claims 21 and 22 are in condition for allowance for at least the same reasons as applied to claim 1.

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Claim 3 stands rejected as being allegedly unpatentable over Stent in view of Erickson and Parks. Claim 3 depends from claim 1. As discussed above, Stent does anticipate claim 1. The relied upon portions of Erickson and Parks fail to remedy the deficiencies in Stent. Accordingly, the applicant respectfully submits that claim 3 is in condition for allowance for at least these reasons.

Claim 5 stands rejected as being allegedly unpatentable over Stent and Backlund in view of Parks. Claim 5 depends from claim 1. As discussed above, Stent does anticipate claim 1. The relied upon portions of Backlund and Parks fail to remedy the deficiencies in Stent. Accordingly, the applicant respectfully submits that claim 5 is in condition for allowance for at least these reasons.

Claims 9 and 26 stand rejected as being allegedly unpatentable over Stent and Backlund in view of Walsh. Claim 9 depends from claim 1 and claim 26 depends from claim 21. As discussed above, claims 1 and 21 are patentable in view of Stent and Backlund. The relied upon portions of Walsh fail to remedy the deficiencies in Stent and Backlund. Accordingly, the applicant respectfully submits that claims 9 and 26 are in condition for allowance for at least these reasons.

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Conclusion

By responding in the foregoing remarks only to particular positions taken by the examiner, the Applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the Applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

The Applicant respectfully requests that all pending claims be allowed. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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Daniel J. Burns
Reg. No. 50,222

Customer No. 021876
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

50333175.doc